

**REMARKS**

Claims 10-17 are amended. Claims 41-42 are added. No claims are canceled.  
Accordingly, claims 1-42 are now pending.

Claims 10- 17 are amended to remove the acronym "DEAPROM" from the preamble.  
These amendments do not narrow the scope of the claims.

In the Restriction Requirement mailed July 7, 2005, the Examiner has restricted the claims to one of the following species under 35 U.S.C. 121:

- I. Claims 1-17, drawn to a floating gate transistor comprising a control gate separated from a floating gate by a low tunnel barrier intergate insulator having a thickness of less than 20 Angstrom; and
- II. Claims 18-40, drawn to a DEAPROM memory cell and its methods of operating, comprising a metal oxide intergate insulator formed on the metal layer, wherein the metal oxide intergate insulator has a tunnel barrier of less than 1.5eV.

Applicant elects, without traverse, Species I, claims 1-17. New claims 41-42 also read on the elected species.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES ET AL.

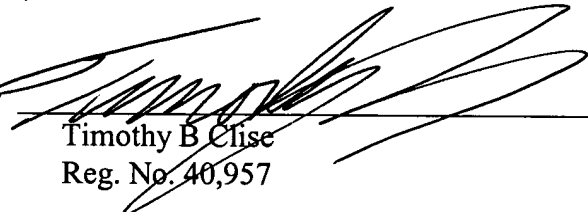
By their Representatives,

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Date

1 Aug '05

By

  
Timothy B. Clise  
Reg. No. 40,957

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1 day of August, 2005.

Name

KACIA LEE

Signature

Kacia Lee